

APPEAL,CAT B,CLOSED

**U.S. District Court
District of Columbia (Washington, DC)
CRIMINAL DOCKET FOR CASE #: 1:21-cr-00670-CJN-1**

Case title: USA v. BANNON

Date Filed: 11/12/2021

Assigned to: Judge Carl J.
Nichols

Defendant (1)

STEPHEN K. BANNON

represented by **David I. Schoen**

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Pending Counts

2:192; CONGRESSIONAL
CONTEMPT – REFUSE TO
TESTIFY; Contempt of Congress
(Testimony)
(1)

2:192; CONGRESSIONAL
CONTEMPT – REFUSE TO
TESTIFY; Contempt of Congress
(Papers)
(2)

Disposition

Defendant sentenced to Four (4) Months of
Incarceration to run concurrently with Count 2.
Defendant further Ordered to Pay a Fine of \$6500.00
and Special Assessment of \$25 on each count.

Defendant sentenced to Four (4) Months of
Incarceration to run concurrently with Count 1.
Defendant further Ordered to Pay a Fine of \$6500.00
and Special Assessment of \$25 on each count.

**Highest Offense Level
(Opening)**

Misdemeanor

Terminated Counts

None

Disposition

**Highest Offense Level
(Terminated)**

None

Complaints

None

Disposition

Interested Party

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Movant

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Date Filed	#	Page	Docket Text
11/12/2021	<u>1</u>		INDICTMENT as to STEPHEN K. BANNON (1) count(s) 1, 2. (zstd) (Entered: 11/12/2021)
11/12/2021	<u>3</u>		NOTICE OF ATTORNEY APPEARANCE Amanda Rose Vaughn appearing for USA. (Vaughn, Amanda) (Entered: 11/12/2021)
11/15/2021	<u>4</u>		NOTICE OF ATTORNEY APPEARANCE: David I. Schoen appearing for STEPHEN K. BANNON (Schoen, David) (Entered: 11/15/2021)
11/15/2021	<u>5</u>		NOTICE OF ATTORNEY APPEARANCE: Matthew Evan Corcoran appearing for STEPHEN K. BANNON (Corcoran, Matthew) (Entered: 11/15/2021)
11/15/2021			Arrest of Defendant STEPHEN K. BANNON. (kk) (Entered: 11/17/2021)
11/15/2021	<u>7</u>		Arrest Warrant, dated 11/12/2021, returned executed on 11/15/2021 as to Defendant STEPHEN K. BANNON. (kk) (Entered: 11/17/2021)
11/15/2021			Minute Entry for Initial Appearance as to STEPHEN K. BANNON held in-person before Magistrate Judge Robin M. Meriweather on 11/15/2021 : Case was also called for an Arraignment, but was not held. Arraignment to be held before Judge Nichols. The Court advised the Government of its due process obligations under Rule 5(f). Arraignment and Status Hearing set for 11/18/2021 at 11:00 AM by VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendant released on Personal Recognizance Bond. Release issued. Court Reporter: FTR Gold – Ctrm. 7; FTR Time Frame: 1:53:41 – 2:18:48. Defense Attorneys: David Schoen and Matthew Corcoran; U.S. Attorneys: Amanda Vaughn, Molly Gaston and J.P. Cooney; Pretrial Officer: Andre Sidbury. (kk) (Entered: 11/17/2021)
11/15/2021	<u>8</u>		ORDER Setting Conditions of Release : Defendant STEPHEN K. BANNON released on Personal Recognizance Bond signed by Magistrate Judge Robin M. Meriweather on 11/15/2021. (Attachment: # <u>1</u> Appearance Bond) (kk) (Entered: 11/17/2021)
11/17/2021	<u>6</u>		MOTION for Waiver of <i>Arraignment and Entry of a Plea of Not Guilty</i> by STEPHEN K. BANNON. (Corcoran, Matthew) (Entered: 11/17/2021)
11/17/2021	<u>9</u>		MOTION for Protective Order <i>and to Disclose Grand Jury Testimony</i> by USA as to STEPHEN K. BANNON. (Attachments: # <u>1</u> Text of Proposed Order)(Vaughn, Amanda) (Entered: 11/17/2021)
11/17/2021	10		MOTION to Disclose Grand Jury Testimony by USA as to STEPHEN K. BANNON. (See docket entry <u>9</u> to view document). (zstd) (Entered: 11/18/2021)
11/18/2021			Minute Entry for proceedings held before Judge Carl J. Nichols: Video Status Conference as to STEPHEN K. BANNON held on 11/18/2021. Defendant waived Arraignment, without objection from the Government. Oral Motions taken under advisement. Joint Status Report due by 12/6/2021. Speedy Trial as to STEPHEN K. BANNON is Excluded from 11/18/2021 to 12/7/2021, in the

		Interest of Justice, XT. Status Conference set for 12/7/2021 at 11:00 AM in Telephonic/VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendant remains on Personal Recognizance; Court Reporter: Lorraine Herman; Defense Attorney: David Schoen and Matthew Corcoran; US Attorney: Amanda Vaughn, J.P. Cooney, and Molly Gaston. (zcal) (Entered: 11/18/2021)
11/24/2021	<u>11</u>	RESPONSE by STEPHEN K. BANNON re <u>9</u> MOTION for Protective Order <i>and to Disclose Grand Jury Testimony</i> (Attachments: # <u>1</u> Text of Proposed Order Proposed Order in pdf)(Schoen, David) (Entered: 11/24/2021)
11/28/2021	<u>12</u>	REPLY TO OPPOSITION to Motion by USA as to STEPHEN K. BANNON re <u>9</u> MOTION for Protective Order <i>and to Disclose Grand Jury Testimony</i> (Attachments: # <u>1</u> Attachment 1 (Proposed Order), # <u>2</u> Attachment 2 (Under Seal), # <u>3</u> Attachment 3 (Under Seal))(Vaughn, Amanda) (Entered: 11/28/2021)
11/30/2021	<u>14</u>	MOTION for Leave to File <i>SurReply to Government's Reply to Defendant's Opposition to the Government Motion for Protective Order and to Disclose Grand Jury Testimony (ECF #12)</i> by STEPHEN K. BANNON. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order Granting Leave to File Surreply, # <u>2</u> Exhibit Proposed Surreply, # <u>3</u> Exhibit Copy of Press Coalition Motion to Intervene, # <u>4</u> Text of Proposed Order Proposed Order re: Grand Jury Materials)(Schoen, David) (Entered: 11/30/2021)
12/02/2021	<u>16</u>	MOTION for Leave to Appear Pro Hac Vice Robert J. Costello Filing fee \$ 100, receipt number ADCDC-8902236. Fee Status: Fee Paid. by STEPHEN K. BANNON. (Attachments: # <u>1</u> Declaration Pro Hac Motion Declaration – Bob Costello, # <u>2</u> Text of Proposed Order Proposed Order)(Corcoran, Matthew) (Entered: 12/02/2021)
12/03/2021	<u>17</u>	ERRATA by STEPHEN K. BANNON re <u>16</u> MOTION for Leave to Appear Pro Hac Vice Robert J. Costello Filing fee \$ 100, receipt number ADCDC-8902236. Fee Status: Fee Paid. filed by STEPHEN K. BANNON (Corcoran, Matthew) (Entered: 12/03/2021)
12/06/2021		MINUTE ORDER. The Court having considered Defendant's <u>16</u> Motion For Admission <i>Pro Hac Vice</i> of Robert J. Costello, and it appearing to the Court that the attorney referenced therein meets the requirements for <i>pro hac vice</i> admission under the Local Rules, it is hereby ORDERED that the Motion is GRANTED. It is further ORDERED that Robert J. Costello is ADMITTED to practice before the Court <i>pro hac vice</i> . Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCrR 44.5(a). Click for Instructions. Signed by Judge Carl J. Nichols on December 6, 2021. (lccjn3) (Entered: 12/06/2021)
12/06/2021	<u>18</u>	Joint STATUS REPORT by USA as to STEPHEN K. BANNON (Attachments: # <u>1</u> Attachment A)(Vaughn, Amanda) (Entered: 12/06/2021)
12/07/2021		Minute Entry for proceedings held before Judge Carl J. Nichols: VTC Status Conference as to STEPHEN K. BANNON held on 12/7/2021. Defendant appeared by video. Status Report, including a proposed briefing schedule, due by 12/16/2021. Jury Selection/Trial set to commence on 7/18/2022 at 9:00 AM in the Ceremonial Courtroom before Judge Carl J. Nichols. Bond Status of Defendant: Remains on Personal Recognizance; Court Reporter: Lorraine

		Herman; Defense Attorneys: David I. Schoen, Matthew Evan Corcoran, and Robert J. Costello; US Attorneys: Amanda Rose Vaughn, J.P. Cooney, and Molly Gulland Gaston. (zkh) (Entered: 12/07/2021)
12/08/2021	<u>19</u>	NOTICE OF ATTORNEY APPEARANCE: Robert J. Costello appearing for STEPHEN K. BANNON (Costello, Robert) (Entered: 12/08/2021)
12/10/2021		MINUTE ORDER as to STEPHEN K. BANNON. Upon consideration of the United States' <u>13</u> Sealed Motion for Leave to File Document Under Seal, along with Defendant's <u>14</u> Motion for Leave to file SurReply, it is hereby ORDERED that the Motions are GRANTED. Signed by Judge Carl J. Nichols on December 10, 2021. (lccjn3) Modified to add defendant's name on 12/10/2021 (zkh). (Entered: 12/10/2021)
12/10/2021	<u>20</u>	PROTECTIVE ORDER as to STEPHEN K. BANNON. Signed by Judge Carl J. Nichols on December 10, 2021. (lccjn3) Modified to add defendant's name on 12/10/2021 (zkh). (Entered: 12/10/2021)
12/13/2021	<u>21</u>	Request for Hearing by PRESS COALITION as to STEPHEN K. BANNON. (zstd) (Entered: 12/14/2021)
12/16/2021	<u>22</u>	STATUS REPORT <i>Defendant's Position on Pre-trial Scheduling Pursuant to 12/7/2021 Oral Order</i> by STEPHEN K. BANNON (Attachments: # <u>1</u> Text of Proposed Order Proposed Pre-trial Scheduling Order)(Schoen, David) (Entered: 12/16/2021)
12/16/2021	<u>23</u>	STATUS REPORT by USA as to STEPHEN K. BANNON (Attachments: # <u>1</u> Parties' Correspondence, # <u>2</u> Text of Proposed Order)(zstd) (Entered: 12/17/2021)
12/16/2021	24	MOTION to Exclude Time Pursuant to the Speedy Trial Act by USA as to STEPHEN K. BANNON. (See docket entry <u>23</u> to view document.) (zstd) (Entered: 12/17/2021)
01/03/2022	<u>25</u>	SCHEDULING ORDER. Signed by Judge Carl J. Nichols on January 3, 2022. (lccjn3) (Entered: 01/03/2022)
01/03/2022		Set/Reset Deadlines/Hearings as to STEPHEN K. BANNON: Exhibit List due by 7/11/2022. due by 7/8/2022. Motions due by 2/4/2022. Motion in Limine due by 6/17/2022. Proposed Voir Dire due by 7/11/2022. Proposed Jury Instructions due by 7/11/2022. Pretrial Statement due by 7/11/2022. Responses due by 2/25/2022 Replies due by 3/8/2022. Witness List due by 7/11/2022. Pretrial Conference set for 7/14/2022 at 10:00 AM in Courtroom 19- In Person before Judge Carl J. Nichols. (zcal) (Entered: 01/04/2022)
01/14/2022		MINUTE ORDER. Upon consideration of the United States' 24 Motion to Exclude Time Pursuant to the Speedy Trial Act, it is hereby ORDERED that the Motion is GRANTED. The Court finds, for the reasons cited in the December 7, 2021 status hearing and, pursuant in part, to Standing Order No. 21-79 (December 13, 2021), the ends of justice served by a continuance in this matter outweigh the best interest of the public and the Defendant in a speedy trial. Accordingly, it is hereby ORDERED that the time from the date of the Court's <u>25</u> Scheduling Order, nunc pro tunc, through February 4, 2022, shall be excluded under the Speedy Trial Act. See 18 U.S.C. § 3161(h)(7)(A). Signed by Judge Carl J. Nichols on January 14, 2022. (lccjn3) (Entered: 01/14/2022)

02/04/2022	<u>26</u>	MOTION to Compel <i>Disclosure of Government Efforts to Obtain Telephone and Email Records of Mr. Bannon's Attorneys</i> by STEPHEN K. BANNON. (Attachments: # <u>1</u> Exhibit Exhibit 1 Defense Letter to Govt, # <u>2</u> Exhibit Exhibit 2 Govt Letter Response, # <u>3</u> Text of Proposed Order Proposed Order)(Schoen, David) (Entered: 02/04/2022)
02/04/2022	<u>28</u>	MOTION to Compel <i>Discovery</i> by STEPHEN K. BANNON. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4, # <u>5</u> Exhibit Exhibit 5, # <u>6</u> Exhibit Exhibit 6, # <u>7</u> Exhibit Exhibit 7, # <u>8</u> Exhibit Exhibit 8, # <u>9</u> Exhibit Exhibit 9, # <u>10</u> Exhibit Exhibit 10, # <u>11</u> Exhibit Exhibit 11, # <u>12</u> Exhibit Exhibit 12)(Corcoran, Matthew) (Entered: 02/04/2022)
02/04/2022	<u>29</u>	MOTION in Limine to <i>Exclude Evidence or Argument Relating to Good-Faith Reliance on Law or Advice of Counsel</i> by USA as to STEPHEN K. BANNON. (Attachments: # <u>1</u> Exhibit 1)(Vaughn, Amanda) (Entered: 02/04/2022)
02/25/2022	<u>30</u>	RESPONSE by STEPHEN K. BANNON re <u>29</u> MOTION in Limine to <i>Exclude Evidence or Argument Relating to Good-Faith Reliance on Law or Advice of Counsel</i> (Attachments: # <u>1</u> Exhibit Declaration of Robert J. Costello, Esquire)(Schoen, David) (Entered: 02/25/2022)
02/25/2022	<u>31</u>	Memorandum in Opposition by USA as to STEPHEN K. BANNON re <u>26</u> MOTION to Compel <i>Disclosure of Government Efforts to Obtain Telephone and Email Records of Mr. Bannon's Attorneys</i> , <u>28</u> MOTION to Compel <i>Discovery</i> (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Vaughn, Amanda) (Entered: 02/25/2022)
03/08/2022	<u>33</u>	REPLY in Support by STEPHEN K. BANNON re <u>28</u> MOTION to Compel <i>Discovery</i> (Attachments: # <u>1</u> Exhibit Exhibit 1)(Corcoran, Matthew) (Entered: 03/08/2022)
03/08/2022	<u>34</u>	REPLY TO OPPOSITION to Motion by STEPHEN K. BANNON re <u>26</u> MOTION to Compel <i>Disclosure of Government Efforts to Obtain Telephone and Email Records of Mr. Bannon's Attorneys</i> (Attachments: # <u>1</u> Declaration Declaration of Robert J. Costello, Esq. with Exhibits, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4)(Schoen, David) (Entered: 03/08/2022)
03/08/2022	<u>35</u>	REPLY in Support by USA as to STEPHEN K. BANNON re <u>29</u> MOTION in Limine to <i>Exclude Evidence or Argument Relating to Good-Faith Reliance on Law or Advice of Counsel</i> (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7)(Vaughn, Amanda) (Entered: 03/08/2022)
03/10/2022		MINUTE ORDER as to STEPHEN K. BANNON. Upon review of the Parties' <u>26</u> <u>28</u> <u>29</u> Motions, it is hereby ORDERED that the Parties shall appear for oral argument on those Motions at 11:00 am on March 16, 2022, in Courtroom 19. It is further ORDERED that no later than March 14, 2022, the United States shall provide the Court, for its ex parte review, what the United States has described as all "ex parte materials submitted to the court under 18 U.S.C. § 2703(d) that relate to toll records, email header information, and phone and email subscriber data for accounts believed to be used by Robert Costello that were obtained during the investigation." United States' Opposition to Def.'s Motions to Compel, ECF No. 31 at 10. Signed by Judge Carl J. Nichols on March 10, 2022. (lccjn3) (Entered: 03/10/2022)

03/10/2022		Set/Reset Deadlines/Hearings as to STEPHEN K. BANNON: Government Ex Parte Review due by 3/14/2022. Motion Hearing set for 3/16/2022 at 11:00 AM in Courtroom 19– In Person before Judge Carl J. Nichols. (zcal) (Entered: 03/10/2022)
03/14/2022	<u>36</u>	MOTION for Leave to File <i>Surreply to Defendant's Motion to Compel Discovery Relating to Robert Costello</i> by USA as to STEPHEN K. BANNON. (Attachments: # <u>1</u> Surreply in Opposition to Defendant's Motion to Compel Discovery Relating to Robert Costello and Motion to Amend the Protective Order, # <u>2</u> Text of Proposed Order)(Vaughn, Amanda) (Entered: 03/14/2022)
03/15/2022	<u>38</u>	RESPONSE by STEPHEN K. BANNON re <u>36</u> MOTION for Leave to File <i>Surreply to Defendant's Motion to Compel Discovery Relating to Robert Costello</i> (Schoen, David) (Entered: 03/15/2022)
03/16/2022		Minute Entry for proceedings held before Judge Carl J. Nichols: Motion Hearing as to STEPHEN K. BANNON held on 3/16/2022 re Motions <u>26</u> , <u>28</u> , and <u>29</u> . Motion <u>26</u> ; Taken Under Advisement. Motion <u>28</u> ; Denied in Part and Granted in Part; for reasons set forth on the record. Motion <u>29</u> ; Taken Under Advisement. Defense Supplemental Briefs due by 3/22/2022. Government Response due by 3/29/2022. Government's Ex Parte filing due by 3/18/2022. Defense Reply due by 4/1/2022. Bond Status of Defendant: Defendant remains on Personal Recognizance; Court Reporter: Lorraine Herman; Defense Attorney: David Schoen, Matthew Corcoran, and Robert Costello; US Attorney: Amanda Vaughn, J.P. Cooney, and Molly Gaston. (zcal) (Entered: 03/16/2022)
03/17/2022	<u>39</u>	SURREPLY to <u>29</u> Government's Reply in Support of it's Motion in Limine to Exclude Evidence or Argument Relating to Good–Faith Reliance on Law or Advice of Counsel by STEPHEN K. BANNON. (Corcoran, Matthew) Modified text on 3/18/2022 (zstd). (Entered: 03/17/2022)
03/22/2022	<u>41</u>	SUPPLEMENT by STEPHEN K. BANNON re <u>29</u> MOTION in Limine to Exclude Evidence or Argument Relating to Good–Faith Reliance on Law or Advice of Counsel (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4, # <u>5</u> Exhibit Exhibit 5, # <u>6</u> Exhibit Exhibit 6, # <u>7</u> Exhibit Exhibit 7)(Corcoran, Matthew) (Entered: 03/22/2022)
03/23/2022	<u>42</u>	SUPPLEMENT by STEPHEN K. BANNON re <u>41</u> Supplement to any document, <i>Amended Exhibit 3</i> (Corcoran, Matthew) (Entered: 03/23/2022)
03/29/2022	<u>43</u>	RESPONSE by USA as to STEPHEN K. BANNON re <u>41</u> Supplement to any document, (Vaughn, Amanda) (Entered: 03/29/2022)
03/30/2022	<u>44</u>	SUPPLEMENT re <u>43</u> by STEPHEN K. BANNON <i>Supplemental Reply on Waiver</i> (Schoen, David) Modified to add link on 3/31/2022 (znmw). (Entered: 03/30/2022)
04/05/2022	<u>45</u>	First MOTION for Extension of Time to <i>File Motions to Dismiss the Indictment</i> by STEPHEN K. BANNON. (Schoen, David) (Entered: 04/05/2022)
04/05/2022	<u>46</u>	Memorandum in Opposition by USA as to STEPHEN K. BANNON re <u>45</u> First MOTION for Extension of Time to <i>File Motions to Dismiss the Indictment</i> (Vaughn, Amanda) (Entered: 04/05/2022)

04/05/2022	48		MOTION to Exclude Time Under The Speedy Trial Act by STEPHEN K. BANNON. (See docket entry 45 to view document.) (zstd) (Entered: 04/06/2022)
04/06/2022	47		REPLY TO OPPOSITION to Motion by STEPHEN K. BANNON re 45 First MOTION for Extension of Time to <i>File Motions to Dismiss the Indictment</i> (Schoen, David) (Entered: 04/06/2022)
04/06/2022			NOTICE OF ERROR re 45 Motion for Extension of Time to; emailed to dschoen593@aol.com, cc'd -1 associated attorneys — The PDF file you docketed contained errors: 1. Notice of Corrected Docket Entry: Your entry has been modified as a courtesy. Please note the appropriate reminders for future filings; do not refile document, 2. Two-part document; second docket entry is required (Dorsett, Shedelle) (Entered: 04/06/2022)
04/06/2022	49		ORDER as to 29 Motion in Limine. Signed by Judge Carl J. Nichols on April 6, 2022. (lccjn3) (Entered: 04/06/2022)
04/06/2022			MINUTE ORDER as to STEPHEN K. BANNON. Upon consideration of Defendant's 45 First Motion for Extension of Time, it is hereby ORDERED that the Motion is GRANTED IN PART and DENIED IN PART. The Parties shall file any motions to dismiss the indictment or other motions to exclude evidence by April 15, 2022. Oppositions to any such motion shall be filed by May 6, 2022. Any reply shall be filed by May 17, 2022. It is further ORDERED that the time between April 8, 2022 and April 15, 2022 shall be excluded from calculation under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A). The Court finds that the ends of justice served by granting this continuance outweigh the interests of the public and the defendant in a speedy trial. Signed by Judge Carl J. Nichols on April 6, 2022. (lccjn3) (Entered: 04/06/2022)
04/12/2022	50		NOTICE of Discovery by USA as to STEPHEN K. BANNON (Vaughn, Amanda) (Entered: 04/12/2022)
04/14/2022	51		Unopposed MOTION for Leave to File Excess Pages by STEPHEN K. BANNON. (Attachments: # 1 Text of Proposed Order Proposed Order)(Corcoran, Matthew) (Entered: 04/14/2022)
04/14/2022			MINUTE ORDER as to STEPHEN K. BANNON. Upon consideration of Defendant STEPHEN K. BANNON's 51 Unopposed Motion for Leave to File Excess Pages, it is hereby ORDERED that the Motion is GRANTED. Defendant is granted leave to file a Motion to Dismiss the Indictment not to exceed 55 pages. Signed by Judge Carl J. Nichols on April 14, 2022. (lccjn3) (Entered: 04/14/2022)
04/15/2022	52		MOTION in Limine to <i>Exclude Evidence of Department of Justice Opinions and Writings</i> by USA as to STEPHEN K. BANNON. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Vaughn, Amanda) (Entered: 04/15/2022)
04/15/2022	53		MOTION in Limine to <i>Exclude Evidence Relating to Objections to Subpoena that Defendant Waived</i> by USA as to STEPHEN K. BANNON. (Attachments: # 1 Exhibit 1)(Vaughn, Amanda) (Entered: 04/15/2022)
04/15/2022	54		

		MOTION in Limine to <i>Exclude Evidence of the Defendant's Prior Experience with Subpoenas</i> by USA as to STEPHEN K. BANNON. (Vaughn, Amanda) (Entered: 04/15/2022)
04/15/2022	<u>55</u>	NOTICE of a Public–Authority Defense Pursuant to Rule 12.3, Federal Rules of Criminal Procedure by STEPHEN K. BANNON (Schoen, David) (Entered: 04/15/2022)
04/15/2022	<u>56</u>	MOTION to Exclude Evidence by STEPHEN K. BANNON. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Corcoran, Matthew) (Entered: 04/15/2022)
04/15/2022	<u>58</u>	MOTION to Dismiss Case by STEPHEN K. BANNON. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D, # <u>5</u> Exhibit Exhibit E, # <u>6</u> Exhibit Exhibit F, # <u>7</u> Exhibit Exhibit G, # <u>8</u> Exhibit Exhibit H, # <u>9</u> Exhibit Exhibit I, # <u>10</u> Exhibit Exhibit J, # <u>11</u> Exhibit Exhibit K, # <u>12</u> Exhibit Exhibit L, # <u>13</u> Exhibit Exhibit M, # <u>14</u> Exhibit Exhibit N, # <u>15</u> Exhibit Exhibit O, # <u>16</u> Exhibit Exhibit P, # <u>17</u> Exhibit Exhibit Q, # <u>18</u> Exhibit Exhibit R, # <u>19</u> Exhibit Exhibit S, # <u>20</u> Exhibit Exhibit T, # <u>21</u> Exhibit Exhibit U, # <u>22</u> Exhibit Exhibit V, # <u>23</u> Exhibit Exhibit W, # <u>24</u> Exhibit Exhibit X, # <u>25</u> Exhibit Exhibit Y, # <u>26</u> Exhibit Exhibit Z, # <u>27</u> Exhibit Exhibit AA, # <u>28</u> Exhibit Exhibit BB, # <u>29</u> Exhibit Exhibit CC, # <u>30</u> Exhibit Exhibit DD, # <u>31</u> Exhibit Exhibit EE, # <u>32</u> Text of Proposed Order Proposed Order)(Corcoran, Matthew) (Entered: 04/15/2022)
04/19/2022	<u>59</u>	NOTICE of Filing by STEPHEN K. BANNON re <u>58</u> MOTION to Dismiss Case (Attachments: # <u>1</u> Supplement Motion to Dismiss Indictment REVISED, # <u>2</u> Supplement Index to Exhibits)(Corcoran, Matthew) (Entered: 04/19/2022)
04/29/2022	<u>60</u>	RESPONSE by USA as to STEPHEN K. BANNON re <u>55</u> Notice (Other) (Vaughn, Amanda) (Entered: 04/29/2022)
05/06/2022	<u>61</u>	MOTION for Leave to File Excess Pages by USA as to STEPHEN K. BANNON. (Attachments: # <u>1</u> Text of Proposed Order)(Vaughn, Amanda) (Entered: 05/06/2022)
05/06/2022		MINUTE ORDER as to STEPHEN K. BANNON. Upon consideration of the United States' <u>61</u> Motion for Leave to File Excess Pages, it is hereby ORDERED that the Motion is GRANTED. The United States is granted leave to file an opposition to the Defendant's <u>58</u> [59–1] Motion to Dismiss the Case not to exceed 50 pages. Signed by Judge Carl J. Nichols on May 6, 2022. (lccjn3) (Entered: 05/06/2022)
05/06/2022	<u>62</u>	Memorandum in Opposition by STEPHEN K. BANNON re <u>53</u> MOTION in Limine to <i>Exclude Evidence Relating to Objections to Subpoena that Defendant Waived</i> (Corcoran, Matthew) (Entered: 05/06/2022)
05/06/2022	<u>63</u>	Memorandum in Opposition by STEPHEN K. BANNON re <u>54</u> MOTION in Limine to <i>Exclude Evidence of the Defendant's Prior Experience with Subpoenas</i> (Corcoran, Matthew) (Entered: 05/06/2022)
05/06/2022	<u>64</u>	RESPONSE by STEPHEN K. BANNON re <u>52</u> MOTION in Limine to <i>Exclude Evidence of Department of Justice Opinions and Writings</i> (Schoen, David) (Entered: 05/06/2022)
05/06/2022	<u>65</u>	

		Memorandum in Opposition by USA as to STEPHEN K. BANNON re <u>58</u> MOTION to Dismiss Case (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5 (Under Seal), # <u>6</u> Exhibit 6 (Under Seal))(Vaughn, Amanda) (Entered: 05/06/2022)
05/06/2022	<u>67</u>	Memorandum in Opposition by USA as to STEPHEN K. BANNON re <u>56</u> MOTION to Exclude <i>Evidence</i> (Vaughn, Amanda) (Entered: 05/06/2022)
05/10/2022		MINUTE ORDER as to STEPHEN K. BANNON. The Parties are hereby ORDERED to attend an in-person argument on the pending <u>52</u> <u>53</u> <u>54</u> <u>56</u> <u>58</u> Motions on May 26, 2022 at 10:00 am. Signed by Judge Carl J. Nichols on May 10, 2022. (lccjn3) (Entered: 05/10/2022)
05/10/2022		Set/Reset Hearings as to STEPHEN K. BANNON: Motion Hearing set for 5/26/2022 at 10:00 AM In Person before Judge Carl J. Nichols. Courtroom to be determined at a later date. (zcal) (Entered: 05/10/2022)
05/16/2022		MINUTE ORDER as to STEPHEN K. BANNON. It is hereby ORDERED that the in-person argument previously scheduled for May 26, 2022 at 10:00 am is hereby CONTINUED until June 15, 2022 at 10:00 am. Argument will take place in person in Courtroom 19. The change of the argument date shall have no effect on the prior existing deadlines in this case. Signed by Judge Carl J. Nichols on May 16, 2022. (lccjn3) (Entered: 05/16/2022)
05/16/2022		Set/Reset Hearings as to STEPHEN K. BANNON: Motion Hearing RESET for 6/15/2022 at 10:00 AM in Courtroom 19- In Person before Judge Carl J. Nichols. (zcal) (Entered: 05/16/2022)
05/16/2022	<u>68</u>	Unopposed MOTION for Leave to File Excess Pages by STEPHEN K. BANNON. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Corcoran, Matthew) (Entered: 05/16/2022)
05/17/2022		MINUTE ORDER as to STEPHEN K. BANNON. Upon consideration of Defendant STEPHEN K. BANNON's <u>68</u> Unopposed Motion for Leave to Exceed Page Limit, it is hereby ORDERED that the Motion is GRANTED. Defendant is granted leave to file a Reply in Support of Defendant's Motion to Dismiss the Indictment not to exceed thirty pages in length. Signed by Judge Carl J. Nichols on May 17, 2022. (lccjn3) (Entered: 05/17/2022)
05/17/2022	<u>69</u>	REPLY in Support by STEPHEN K. BANNON re <u>56</u> MOTION to Exclude <i>Evidence</i> (Corcoran, Matthew) (Entered: 05/17/2022)
05/17/2022	<u>70</u>	REPLY in Support by USA as to STEPHEN K. BANNON re <u>52</u> MOTION in Limine to <i>Exclude Evidence of Department of Justice Opinions and Writings</i> (Vaughn, Amanda) (Entered: 05/17/2022)
05/17/2022	<u>71</u>	REPLY in Support by USA as to STEPHEN K. BANNON re <u>53</u> MOTION in Limine to <i>Exclude Evidence Relating to Objections to Subpoena that Defendant Waived</i> (Vaughn, Amanda) (Entered: 05/17/2022)
05/17/2022	<u>72</u>	REPLY in Support by USA as to STEPHEN K. BANNON re <u>54</u> MOTION in Limine to <i>Exclude Evidence of the Defendant's Prior Experience with Subpoenas</i> (Vaughn, Amanda) (Entered: 05/17/2022)
05/17/2022	<u>73</u>	REPLY in Support by STEPHEN K. BANNON re <u>58</u> MOTION to Dismiss Case (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit

		Exhibit 3, # 4 Exhibit Exhibit 4)(Corcoran, Matthew) (Entered: 05/17/2022)
05/24/2022	<u>75</u>	ENTERED IN ERROR..... MOTION to File Amicus Brief <i>on behalf of the U.S. House of Representatives Minority Leader Kevin O. McCarthy and the U.S. House of Representatives Minority Whip Stephen J. Scalise</i> by Stanley E. Woodward Jr.. by STEPHEN K. BANNON. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Amicus Curiae)(Woodward, Stanley) Modified on 5/25/2022 (zstd). (Entered: 05/24/2022)
05/24/2022		NOTICE OF ERROR as to STEPHEN K. BANNON regarding <u>75</u> MOTION to File Amicus Brief <i>on behalf of the U.S. House of Representatives Minority Leader Kevin O. McCarthy and the U.S. House of Representatives Minority Whip Stephen J. Scalise</i> by Stanley E. Woodward Jr... The following error(s) need correction: Other- Chambers did not approve of this filing and counsel is not an interested party in the case. (zstd) (Entered: 05/25/2022)
05/25/2022	<u>76</u>	MOTION for Leave to File Amicus Brief by UNITED STATES HOUSE OF REPRESENTATIVES as to STEPHEN K. BANNON. "Leave to File Granted" by Judge Carl J. Nichols on 5/25/2022. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Amicus Brief)(zstd) (Entered: 05/25/2022)
05/25/2022	<u>77</u>	MOTION for Leave to File Amicus Brief by HOUSE MINORITY LEADERSHIP as to STEPHEN K. BANNON. "Leave To File Granted" by Judge Carl J. Nichols (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Amicus Brief)(zstd) (Entered: 05/25/2022)
06/07/2022	<u>78</u>	<p>TRANSCRIPT OF PROCEEDINGS in case as to STEPHEN K. BANNON before Judge Carl J. Nichols held on 3/16/2022; Page Numbers: 1–99n. Court Reporter/Transcriber Lorraine T. Herman, Telephone number (202) 354–3196, Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 6/28/2022. Redacted Transcript Deadline set for 7/8/2022. Release of Transcript Restriction set for 9/5/2022.(zhsj) (Entered: 06/07/2022)</p>
06/07/2022	<u>79</u>	TRANSCRIPT OF VIDEO ARRAINGMENT/STATUS CONFERENCE PROCEEDINGS in case as to STEPHEN K. BANNON before Judge Carl J. Nichols, held on November 18, 2021. Page Numbers: 1–19. Date of Issuance: June 7, 2022. Court Reporter: Lorraine T. Herman. Telephone number: 202–354–3196. Transcripts may be ordered by submitting the <u>Transcript Order Form</u>

		<p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 6/28/2022. Redacted Transcript Deadline set for 7/8/2022. Release of Transcript Restriction set for 9/5/2022.(Herman, Lorraine) (Entered: 06/07/2022)</p>
06/07/2022	<u>80</u>	<p>TRANSCRIPT OF VIDEO STATUS CONFERENCE PROCEEDINGS in case as to STEPHEN K. BANNON before Judge Carl J. Nichols, held on December 7, 2022. Page Numbers: 1–47. Date of Issuance: June 7, 2022. Court Reporter: Lorraine T. Herman. Telephone number: 202–354–3196. Transcripts may be ordered by submitting the Transcript Order Form</p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 6/28/2022. Redacted Transcript Deadline set for 7/8/2022. Release of Transcript Restriction set for 9/5/2022.(Herman, Lorraine) (Entered: 06/07/2022)</p>
06/07/2022	<u>81</u>	<p>TRANSCRIPT OF ORAL ARGUMENT PROCEEDINGS in case as to STEPHEN K. BANNON before Judge Carl J. Nichols, held on March 16, 2022. Page Numbers: 1–99. Date of Issuance: June 7, 2022. Court Reporter: Lorraine T. Herman. Telephone number: 202–354–3196. Transcripts may be ordered by submitting the Transcript Order Form</p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter.</p>

		<p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 6/28/2022. Redacted Transcript Deadline set for 7/8/2022. Release of Transcript Restriction set for 9/5/2022.(Herman, Lorraine) (Entered: 06/07/2022)</p>
06/10/2022	<u>82</u>	NOTICE of Defendant's Position Regarding the Amicus Briefs by STEPHEN K. BANNON re <u>77</u> MOTION for Leave to File, <u>76</u> MOTION for Leave to File (Schoen, David) (Entered: 06/10/2022)
06/15/2022		Minute Entry for proceedings held before Judge Carl J. Nichols: Motion Hearing as to STEPHEN K. BANNON held on 6/15/2022 re Motions <u>52</u> , <u>53</u> , <u>54</u> , <u>56</u> , and <u>58</u> . Motions <u>52</u> , <u>53</u> , <u>54</u> , and <u>56</u> taken under advisement. Further Order to be issued by the Court. Motion <u>58</u> to Dismiss Case as to STEPHEN K. BANNON (1); DENIED for reasons set forth on the record. Proposed Jury Instructions due by 6/30/2022. Bond Status of Defendant: Defendant remains on Personal Recognizance; Court Reporter: Lorraine Herman; Defense Attorney: David Schoen, Matthew Corcoran, Robert Costello, and Riane White; US Attorney: Amanda Vaughn, J.P. Cooney, and Molly Gaston. (zcal) (Entered: 06/15/2022)
06/17/2022	<u>83</u>	MOTION in Limine on Presenting Indictment to the Jury by STEPHEN K. BANNON. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Corcoran, Matthew) (Entered: 06/17/2022)
06/17/2022	<u>84</u>	MOTION in Limine Precluding Evidence or Argument Regarding Attack on the U.S. Capital by STEPHEN K. BANNON. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Corcoran, Matthew) (Entered: 06/17/2022)
06/17/2022	<u>85</u>	MOTION in Limine (Omnibus) by USA as to STEPHEN K. BANNON. (Vaughn, Amanda) (Entered: 06/17/2022)
06/27/2022	<u>86</u>	MOTION to Compel Meadows and Scavino Declination Discovery, MOTION for Discovery , MOTION for Release of Brady Materials by STEPHEN K. BANNON. (Attachments: # <u>1</u> Exhibit Letter to government counsel requesting discovery, # <u>2</u> Exhibit Letter from government counsel refusing to provide requested discovery, # <u>3</u> Exhibit Letters from Justin Clark to Meadows and Scavino invoking executive privilege, # <u>4</u> Exhibit Letters from White House Counsel to Congress invoking executive privilege for communications with non-Executive Branch outsiders, # <u>5</u> Exhibit Relevant filings in Meadows v. Pelosi)(Schoen, David) (Entered: 06/27/2022)
06/29/2022	<u>87</u>	Memorandum in Opposition by USA as to STEPHEN K. BANNON re <u>86</u> MOTION to Compel Meadows and Scavino Declination Discovery MOTION for Discovery MOTION for Release of Brady Materials (Vaughn, Amanda) (Entered: 06/29/2022)
06/29/2022	<u>88</u>	MOTION to Continue Trial by STEPHEN K. BANNON. (Schoen, David) (Entered: 06/29/2022)

06/29/2022		MINUTE ORDER as to STEPHEN K. BANNON. Upon consideration of Defendant STEPHEN K. BANNON's <u>88</u> Motion to Continue Trial, it is hereby ORDERED that the government file a response, if any, on or before July 5, 2022. A reply, if any, shall be filed on or before July 7, 2022. Signed by Judge Carl J. Nichols on June 29, 2022. (lccjn3) (Entered: 06/29/2022)
06/29/2022		Set/Reset Deadlines as to STEPHEN K. BANNON: Response due by 7/5/2022. Reply due by 7/7/2022. (zcal) (Entered: 06/30/2022)
06/30/2022	<u>89</u>	Joint Proposed Jury Instructions by USA as to STEPHEN K. BANNON (Attachments: # <u>1</u> Exhibit 1)(Vaughn, Amanda) Modified text on 7/1/2022 (zstd). (Entered: 06/30/2022)
07/01/2022	<u>90</u>	RESPONSE by USA as to STEPHEN K. BANNON re <u>89</u> Proposed Jury Instructions (<i>United States' Objections to Defendant's Proposed Jury Instructions</i>) (Vaughn, Amanda) (Entered: 07/01/2022)
07/01/2022	<u>91</u>	RESPONSE by USA as to STEPHEN K. BANNON re <u>84</u> MOTION in Limine <i>Precluding Evidence or Argument Regarding Attack on the U.S. Capital</i> , <u>83</u> MOTION in Limine <i>on Presenting Indictment to the Jury</i> (Vaughn, Amanda) (Entered: 07/01/2022)
07/01/2022	<u>92</u>	MOTION to Modify <i>Scheduling Order to Remove Requirement that Pretrial Statement be a Joint Filing</i> by USA as to STEPHEN K. BANNON. (Attachments: # <u>1</u> Text of Proposed Order)(Vaughn, Amanda) (Entered: 07/01/2022)
07/01/2022	<u>93</u>	Memorandum in Opposition by USA as to STEPHEN K. BANNON re <u>88</u> MOTION to Continue <i>Trial</i> (Vaughn, Amanda) (Entered: 07/01/2022)
07/01/2022	<u>94</u>	Memorandum in Opposition by STEPHEN K. BANNON re <u>85</u> MOTION in Limine (<i>Omnibus</i>) (Schoen, David) (Entered: 07/01/2022)
07/06/2022	<u>95</u>	REPLY in Support by STEPHEN K. BANNON re <u>88</u> MOTION to Continue <i>Trial</i> (Attachments: # <u>1</u> Exhibit Exhibit 1)(Corcoran, Matthew) (Entered: 07/06/2022)
07/06/2022	<u>96</u>	MOTION for Leave to File <i>Surreply in Opposition to Defendant's Motion to Continue</i> by USA as to STEPHEN K. BANNON. (Attachments: # <u>1</u> Surreply in Opposition to Defendant's Motion to Continue, # <u>2</u> Text of Proposed Order)(Vaughn, Amanda) (Entered: 07/06/2022)
07/06/2022		MINUTE ORDER as to STEPHEN K. BANNON. Pending before the Court are a number of Motions, including ECF Nos. <u>83</u> , <u>84</u> , <u>85</u> , <u>86</u> , and <u>88</u> . The Court will hear oral argument on these Motions on Monday, July 11 at 10:00 am, in Courtroom 19. The Court will also hear oral argument in Misc. Case No. 22-mc-60 at that time. Signed by Judge Carl J. Nichols on July 6, 2022. (lccjn3) (Entered: 07/06/2022)
07/06/2022	<u>97</u>	REPLY TO OPPOSITION to Motion by STEPHEN K. BANNON re <u>86</u> MOTION to Compel <i>Meadows and Scavino Declination Discovery</i> MOTION for Discovery MOTION for Release of Brady Materials (Attachments: # <u>1</u> Exhibit Costello Declination Memo to Govt citing relied upon OLC opinions)(Schoen, David) (Entered: 07/06/2022)
07/06/2022		

		Set/Reset Hearings as to STEPHEN K. BANNON: Motion Hearing set for 7/11/2022 at 10:00 AM in Courtroom 19– In Person before Judge Carl J. Nichols. (zcal) (Entered: 07/07/2022)
07/08/2022	<u>98</u>	MOTION to Withdraw as Attorney by Robert J. Costello. by STEPHEN K. BANNON. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Corcoran, Matthew) (Entered: 07/08/2022)
07/08/2022		MINUTE ORDER as to STEPHEN K. BANNON. Upon consideration of the government's <u>92</u> Motion to Modify Scheduling Order, it is hereby ORDERED that the Motion is DENIED. The Court expects the parties to meet and confer and reach common ground on as many issues as possible. The Court will not, at this time, modify the deadlines established in the <u>25</u> Scheduling Order. Signed by Judge Carl J. Nichols on July 8, 2022. (lccjn3) (Entered: 07/08/2022)
07/08/2022	<u>99</u>	REPLY in Support by STEPHEN K. BANNON re <u>84</u> MOTION in Limine <i>Precluding Evidence or Argument Regarding Attack on the U.S. Capital</i> (Corcoran, Matthew) (Entered: 07/08/2022)
07/08/2022	<u>100</u>	REPLY in Support by STEPHEN K. BANNON re <u>83</u> MOTION in Limine <i>on Presenting Indictment to the Jury</i> (Attachments: # <u>1</u> Exhibit Exhibit 1)(Corcoran, Matthew) (Entered: 07/08/2022)
07/08/2022	<u>101</u>	REPLY in Support by USA as to STEPHEN K. BANNON re <u>85</u> MOTION in Limine (<i>Omnibus</i>) (Gaston, Molly) (Entered: 07/08/2022)
07/10/2022	<u>102</u>	<p>TRANSCRIPT OF IN-PERSON MOTION HEARING in case as to STEPHEN K. BANNON, before Judge Carl J. Nichols. Held on June 15, 2022. Page Numbers: 1–179. Date of Issuance: July 10, 2022. Court Reporter: Lorraine T. Herman. Telephone number: 202–354–3196. Transcripts may be ordered by submitting the Transcript Order Form</p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 7/31/2022. Redacted Transcript Deadline set for 8/10/2022. Release of Transcript Restriction set for 10/8/2022.(Herman, Lorraine) (Entered: 07/10/2022)</p>
07/10/2022	<u>103</u>	Supplement by STEPHEN K. BANNON re <u>88</u> MOTION to Continue <i>Trial (Schoen, David) Modified to add link on 7/11/2022 (zstd)</i> . (Entered: 07/10/2022)
07/10/2022	<u>104</u>	Memorandum in Opposition by USA as to STEPHEN K. BANNON re <u>103</u> Supplement to MOTION to Continue <i>Trial</i> (Attachments: # <u>1</u> Exhibit

		1)(Vaughn, Amanda) Modified text on 7/11/2022 (zstd). (Entered: 07/11/2022)
07/11/2022	<u>105</u>	MOTION in Limine to <i>Exclude Evidence or Argument</i> by USA as to STEPHEN K. BANNON. (Vaughn, Amanda) (Entered: 07/11/2022)
07/11/2022	<u>106</u>	PRETRIAL MEMORANDUM – <i>Joint Pretrial Statement</i> by USA as to STEPHEN K. BANNON (Attachments: # <u>1</u> Exhibit Proposed Statement of the Case, # <u>2</u> Exhibit Proposed Voir Dire, # <u>3</u> Exhibit Proposed Verdict Form, # <u>4</u> Exhibit Governments Witness List, # <u>5</u> Exhibit Defendants Witness List, # <u>6</u> Exhibit Governments Exhibit List)(Gaston, Molly) (Entered: 07/11/2022)
07/11/2022		Minute Order and Entry for proceedings held before Judge Carl J. Nichols: Motion Hearing as to STEPHEN K. BANNON held on 7/11/2022 re <u>52</u> , <u>53</u> , <u>54</u> , <u>56</u> , <u>83</u> , <u>84</u> , <u>85</u> , <u>86</u> , <u>88</u> , and <u>103</u> . Defendant Bannon was not present. His appearance was waived. <u>52</u> Granted in Part and Denied in Part by the Court. <u>53</u> Granted by the Court. <u>54</u> Granted in Part and Denied in Part by the Court. <u>56</u> Granted in Part and Denied in Part by the Court. <u>83</u> Granted by the Court. <u>84</u> Granted by the Court. <u>85</u> Granted in Part and Denied in Part by the Court. <u>86</u> Denied by the Court. <u>88</u> Denied by the Court. <u>103</u> Denied by the Court. All rulings made for reasons set forth on the record. Defense's response due by 7/13/2022 at noon. Government's reply due by 7/13/2022 evening. Bond Status of Defendant: Defendant remains on Personal Recognizance; Court Reporter: Lorraine Herman; Defense Attorney: David Schoen, Matthew Corcoran, and Keira Sherper; US Attorney: Amanda Vaughn, J.P. Cooney, and Molly Gaston. (zcal) (Entered: 07/12/2022)
07/11/2022		Set/Reset Deadlines as to STEPHEN K. BANNON: Defense Response due by 7/13/2022. Reply due by 7/13/2022. (zcal) (Entered: 07/12/2022)
07/13/2022	<u>107</u>	RESPONSE by STEPHEN K. BANNON re <u>105</u> MOTION in Limine to <i>Exclude Evidence or Argument</i> (Attachments: # <u>1</u> Exhibit Letters, # <u>2</u> Exhibit Contempt referral and letter, # <u>3</u> Exhibit Subpoena, # <u>4</u> Exhibit Letter, # <u>5</u> Exhibit Indictment)(Schoen, David) (Entered: 07/13/2022)
07/13/2022	<u>108</u>	MOTION to Continue (<i>Renewed</i>) by STEPHEN K. BANNON. (Schoen, David) (Entered: 07/13/2022)
07/13/2022	<u>109</u>	MOTION for Leave to Appear Pro Hac Vice Riane A. White Filing fee \$ 100, receipt number ADCDC-9368303. Fee Status: Fee Paid. by STEPHEN K. BANNON. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order, # <u>2</u> Exhibit Exhibit 1, # <u>3</u> Exhibit Exhibit 2)(Corcoran, Matthew) (Entered: 07/13/2022)
07/13/2022	<u>110</u>	REPLY in Support by USA as to STEPHEN K. BANNON re <u>105</u> MOTION in Limine to <i>Exclude Evidence or Argument</i> (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Gaston, Molly) (Entered: 07/13/2022)
07/13/2022	<u>111</u>	Memorandum in Opposition by USA as to STEPHEN K. BANNON re <u>108</u> MOTION to Continue (<i>Renewed</i>) (Gaston, Molly) (Entered: 07/13/2022)
07/14/2022	<u>112</u>	REPLY TO OPPOSITION to Motion by STEPHEN K. BANNON re <u>108</u> MOTION to Continue (<i>Renewed</i>) (Schoen, David) (Entered: 07/14/2022)
07/14/2022		MINUTE ORDER as to STEPHEN K. BANNON. Upon consideration of the <u>109</u> Motion for Leave to Appear Pro Hac Vice, and for the reasons given during the July 14, 2022, pretrial conference, it is hereby ORDERED that the

		Motion is GRANTED. Riane A. White is granted pro hac vice admission to this Court. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCrR 44.5(a). Click for instructions . Signed by Judge Carl J. Nichols on July 14, 2022. (lccjn3) (Entered: 07/14/2022)
07/14/2022	<u>114</u>	NOTICE of <i>Government's Objections to Defendant's Trial Exhibits</i> by USA as to STEPHEN K. BANNON (Gaston, Molly) (Entered: 07/14/2022)
07/14/2022		Minute Entry for proceedings held before Judge Carl J. Nichols: Pretrial Conference/ Motion Hearing as to STEPHEN K. BANNON held on 7/14/2022 re <u>98</u> , <u>105</u> , <u>108</u> , and <u>109</u> . Defendant STEPHEN K. BANNON not present. Presence waived. <u>98</u> Motion to Withdraw as Attorney; GRANTED. Robert J. Costello withdrawn from case as to STEPHEN K. BANNON (1). <u>105</u> Motion in Limine as to STEPHEN K. BANNON (1); DENIED and Held in Abeyance, for reasons set forth on the record. <u>108</u> Motion to Continue as to STEPHEN K. BANNON (1); DENIED for reasons set forth on the record. <u>109</u> MOTION for Leave to Appear Pro Hac Vice Riane A. White; Granted. Further Order to be issued by the Court. Parties' Memorandum due by 7/18/2022. Bond Status of Defendant: Defendant remains on Personal Recognizance; Court Reporter: Lorraine Herman; Defense Attorney: David Schoen, Matthew Corcoran, and Riane White; US Attorney: Amanda Vaughn and Molly Gaston. (zcal) Modified on 7/15/2022 (zcal). (Entered: 07/15/2022)
07/15/2022	<u>115</u>	NOTICE OF ATTORNEY APPEARANCE: Riane A. White appearing for STEPHEN K. BANNON (White, Riane) (Entered: 07/15/2022)
07/15/2022	<u>116</u>	MOTION to Dismiss Case , MOTION to Exclude <i>Congressional Evidence</i> by STEPHEN K. BANNON. (Attachments: # <u>1</u> Exhibit Rainey Decision Transcript, # <u>2</u> Exhibit Law Review article on U.S. v. Rainey)(Schoen, David) (Entered: 07/15/2022)
07/16/2022	<u>117</u>	Memorandum in Opposition by USA as to STEPHEN K. BANNON re <u>116</u> MOTION to Dismiss Case MOTION to Exclude <i>Congressional Evidence</i> (Gaston, Molly) (Entered: 07/16/2022)
07/17/2022	<u>118</u>	NOTICE of <i>United States' Objections to Court's Proposed Statement of the Case, Voir Dire, and Jury Instructions</i> by USA as to STEPHEN K. BANNON (Vaughn, Amanda) (Entered: 07/17/2022)
07/17/2022	<u>119</u>	STATEMENT OF CASE by STEPHEN K. BANNON (Corcoran, Matthew) (Entered: 07/17/2022)
07/17/2022	<u>120</u>	Proposed Jury Instructions by STEPHEN K. BANNON (Corcoran, Matthew) (Entered: 07/17/2022)
07/17/2022	<u>121</u>	REPLY TO OPPOSITION to Motion by STEPHEN K. BANNON re <u>116</u> MOTION to Dismiss Case MOTION to Exclude <i>Congressional Evidence</i> (Schoen, David) (Entered: 07/17/2022)
07/18/2022	<u>122</u>	RESPONSE TO ORDER OF THE COURT by USA as to STEPHEN K. BANNON re Order on Motion to Withdraw as Attorney,,, Order on Motion in Limine,,, Order on Motion to Continue,,, Motion Hearing,,, Pretrial Conference,,, Set Deadlines,,, <i>United States' Response to Defendant's Objections to Exhibits</i> (Cooney, J.P.) (Entered: 07/18/2022)
07/18/2022	<u>123</u>	

		MOTION to Exclude <i>Hearsay Evidence (Chairman Thompson Letters) per Court Order of July 14, 2022</i> by STEPHEN K. BANNON. (Schoen, David) (Entered: 07/18/2022)
07/18/2022		Minute Entry for proceedings held before Judge Carl J. Nichols: Jury Selection as to STEPHEN K. BANNON began and held on 7/18/2022 STEPHEN K. BANNON (1): Count 1,2. Motion <u>116</u> ; Taken under Advisement. Jury Selection / Jury Trial continued to 7/19/2022 at 09:00 AM in Courtroom 19– In Person before Judge Carl J. Nichols. Bond Status of Defendant: Defendant remains on Personal Recognizance; Court Reporter: AM: Lorraine Herman / PM: Lisa Edwards; Defense Attorney: David Schoen, Matthew Corcoran, and Riane White; US Attorney: Amanda Vauhn and Molly Gaston, and FBI Agent Frank D'Amico. (zcal) (Entered: 07/18/2022)
07/19/2022		Minute Entry for proceedings held before Judge Carl J. Nichols: Jury Trial as to STEPHEN K. BANNON (1) held on 7/19/2022 as to Counts 1 and 2. 12 Jurors and 2 Alternates sworn. <u>116</u> Motion to Dismiss Case as to STEPHEN K. BANNON (1); DENIED for reasons set forth on the record. Motion <u>123</u> ; DENIED for reasons set forth on the record. Oral Motion to Continue Trial for 1 month; DENIED for reasons set forth on the record. Jury Trial continued to 7/20/2022 at 09:00 AM in Courtroom 19– In Person before Judge Carl J. Nichols. Bond Status of Defendant: Defendant remains on Personal Recognizance; Court Reporter: AM: Lorraine Herman / PM: Lisa Edwards; Defense Attorney: David Schoen, Matthew Corcoran, and Riane White; US Attorney: Amanda Vauhn, Molly Gaston, and FBI Agent Frank D'Amico. Government Witness: Kristin Amerling. (zcal) Modified on 7/20/2022 to include second motion ruling (zcal). (Entered: 07/19/2022)
07/19/2022		MINUTE ORDER: The Court having impaneled the jury in this action, it is hereby ORDERED that during trial and deliberations all meals for said jury shall be paid by the Clerk of the Court for the U.S. District Court for the District of Columbia. So Ordered by Judge Carl J. Nichols on 7/19/2022. (zcal) (Entered: 07/19/2022)
07/20/2022		Minute Entry for proceedings held before Judge Carl J. Nichols: Jury Trial as to STEPHEN K. BANNON (1) held on 7/20/2022: Counts 1 and 2. Same jury of 12 and 2 alternates. The Government rests its case. Jury Trial continued to 7/21/2022 at 10:30 AM in Courtroom 19– In Person before Judge Carl J. Nichols. Bond Status of Defendant: Defendant remains on Personal Recognizance; Court Reporter: AM: Lorraine Herman / PM: Lisa Edwards; Defense Attorney: David Schoen, Matthew Corcoran, and Riane White; US Attorney: Amanda Vaughn, Molly Gaston, and FBI Agent Frank D'Amico; Witnesses: Kristin Amerling and FBI Agent Stephen Hart. (zcal) (Entered: 07/20/2022)
07/21/2022	<u>125</u>	MOTION for Acquittal <i>for Judgment Pursuant to Rule 29</i> by STEPHEN K. BANNON. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Corcoran, Matthew) (Entered: 07/21/2022)
07/21/2022		Minute Entry for proceedings held before Judge Carl J. Nichols: Jury Trial as to STEPHEN K. BANNON (1) resumed and held on 7/21/2022: Counts 1 and 2. Juror number 13 discharged. Jury of 12 and 1 alternate. The Defense rests its case. Ruling on Motion for Judgment of Acquittal; Reserve by Court. Jury Trial continued to 7/22/2022 at 09:00 AM in Courtroom 19– In Person before

		Judge Carl J. Nichols. Bond Status of Defendant: Defendant remains on Personal Recognizance; Court Reporter: Lorraine Herman; Defense Attorney: David Schoen, Matthew Corcoran, and Riane White; US Attorney: Amanda Vaughn, Molly Gaston, and FBI Agent Frank D'Amico. (zcal) (Entered: 07/21/2022)
07/21/2022		MINUTE ORDER as to STEPHEN K. BANNON. Pending before the Court is Defendant's Motion to Exclude Congressional Evidence or Dismiss the Indictment Based on Granting the Motion to Quash, ECF No. <u>116</u> . The Court has determined that good cause exists for deferring a decision on Defendant's <u>116</u> Motion, see Fed. R. Crim. P. 12(d), until after the jury returns a verdict or is discharged. The Court intends to decide Defendant's <u>116</u> Motion together with Defendant's Motion for Judgement of Acquittal Pursuant to Rule 29, ECF No. <u>125</u> . Signed by Judge Carl J. Nichols on July 21, 2022. (lccjn3) (Entered: 07/21/2022)
07/21/2022	<u>126</u>	NOTICE of <i>Objections to Court's Final Jury Instructions and Proposed additional instructions</i> by STEPHEN K. BANNON (Schoen, David) (Entered: 07/21/2022)
07/22/2022	<u>127</u>	NOTICE Re: <i>Congressional Hearings of July 21, 2022</i> by STEPHEN K. BANNON (Schoen, David) (Entered: 07/22/2022)
07/22/2022	<u>128</u>	NOTICE of <i>Defendant's Objection to Jury Instruction 27</i> by STEPHEN K. BANNON (Schoen, David) (Entered: 07/22/2022)
07/22/2022		Minute Entry for proceedings held before Judge Carl J. Nichols: Jury Trial as to STEPHEN K. BANNON (1) resumed and concluded on 7/22/2022: Count 1 and 2. Same jury of 12 and 1 alternate. The remaining Alternate discharged. Deliberations began and concluded. JURY VERDICT of GUILTY as to STEPHEN K. BANNON (1): Count 1,2. REFERRAL TO PROBATION OFFICE for Presentence Investigation as to STEPHEN K. BANNON. Sentencing Memorandum due by 10/14/2022. Sentencing set for 10/21/2022 at 03:00 PM in Courtroom 19- In Person before Judge Carl J. Nichols. Bond Status of Defendant: Defendant remains on Personal Recognizance; Court Reporter: Lorraine Herman; Defense Attorney: David Schoen, Matthew Corcoran, and Riane White; US Attorney: Amanda Vaughn, Molly Gaston, and FBI Agent Frank D'Amico. (zcal) (Entered: 07/22/2022)
07/22/2022	<u>129</u>	FINAL Jury Instructions as to STEPHEN K. BANNON (1). (zcal) (Entered: 07/22/2022)
07/22/2022	<u>130</u>	ATTORNEYS' ACKNOWLEDGMENT OF TRIAL EXHIBITS as to STEPHEN K. BANNON. (zcal) (Entered: 07/22/2022)
07/22/2022	<u>131</u>	EXHIBIT LIST by USA as to STEPHEN K. BANNON. (zcal) (Entered: 07/22/2022)
07/22/2022	<u>132</u>	EXHIBIT LIST by STEPHEN K. BANNON. (zcal) (Entered: 07/22/2022)
07/22/2022	<u>133</u>	Jury Note as to STEPHEN K. BANNON. (zcal) (Entered: 07/22/2022)
07/22/2022	<u>134</u>	<p>Signature Page of Foreperson</p> <p>as to STEPHEN K. BANNON in Jury Note. (Access to the PDF Document is restricted pursuant to the E-Government Act. Access is limited to Counsel of</p>

		Record and the Court.) (zcal) (Entered: 07/22/2022)
07/22/2022	<u>135</u>	VERDICT FORM as to STEPHEN K. BANNON. (zcal) (Entered: 07/22/2022)
07/22/2022	<u>136</u>	<p>Signature Page of Foreperson</p> <p>as to STEPHEN K. BANNON in Jury Verdict. (Access to the PDF Document is restricted pursuant to the E-Government Act. Access is limited to Counsel of Record and the Court.) (zcal) (Entered: 07/22/2022)</p>
07/27/2022	<u>137</u>	ORDER. Signed by Judge Carl J. Nichols on July 27, 2022. (lccjn3) (Entered: 07/27/2022)
07/27/2022		Set/Reset Deadlines as to STEPHEN K. BANNON: Response due by 8/12/2022. Reply due by 8/19/2022. (zcal) (Entered: 07/27/2022)
07/28/2022	<u>138</u>	RESPONSE by USA as to STEPHEN K. BANNON re <u>127</u> Notice (Other) (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Vaughn, Amanda) (Entered: 07/28/2022)
07/29/2022	<u>139</u>	MOTION to Withdraw as Attorney by Stacie Marion Fahsel. by UNITED STATES HOUSE OF REPRESENTATIVES as to STEPHEN K. BANNON. (Fahsel, Stacie) (Entered: 07/29/2022)
08/01/2022	<u>140</u>	MOTION to Withdraw as Attorney by Michelle S. Kallen. by UNITED STATES HOUSE OF REPRESENTATIVES as to STEPHEN K. BANNON. (Kallen, Michelle) (Entered: 08/01/2022)
08/05/2022	<u>141</u>	SUPPLEMENT by STEPHEN K. BANNON re <u>116</u> MOTION to Dismiss Case MOTION to Exclude <i>Congressional Evidence</i> (Schoen, David) (Entered: 08/05/2022)
08/05/2022	<u>142</u>	MOTION for New Trial by STEPHEN K. BANNON. (Schoen, David) (Entered: 08/05/2022)
08/12/2022	<u>143</u>	Memorandum in Opposition by USA as to STEPHEN K. BANNON re <u>116</u> Motion to Dismiss Case, Motion to Exclude <i>and Response in Opposition to Defendant's Supplemental Brief</i> (Gaston, Molly) (Entered: 08/12/2022)
08/19/2022	<u>144</u>	REPLY TO OPPOSITION to Motion by STEPHEN K. BANNON re <u>116</u> MOTION to Dismiss Case MOTION to Exclude <i>Congressional Evidence (Supplemental Reply to Supplemental Opposition)</i> (Schoen, David) (Entered: 08/19/2022)
08/19/2022	<u>145</u>	Memorandum in Opposition by USA as to STEPHEN K. BANNON re <u>142</u> Motion for New Trial (Vaughn, Amanda) (Entered: 08/19/2022)
08/26/2022	<u>146</u>	REPLY TO OPPOSITION to Motion by STEPHEN K. BANNON re <u>142</u> MOTION for New Trial (Schoen, David) (Entered: 08/26/2022)
09/02/2022	<u>147</u>	ORDER as to STEPHEN K. BANNON. Signed by Judge Carl J. Nichols on September 2, 2022. (lccjn3) (Entered: 09/02/2022)
09/28/2022		Set/Reset Hearings as to STEPHEN K. BANNON: Sentencing RESET for 10/21/2022 at 09:00 AM in Courtroom 19– In Person before Judge Carl J. Nichols. Note time change. (zcal) (Entered: 09/28/2022)

10/14/2022	<u>151</u>	Consent MOTION for Extension of Time to <i>Filing Deadline</i> by STEPHEN K. BANNON. (Attachments: # <u>1</u> Text of Proposed Order)(Corcoran, Matthew) (Entered: 10/14/2022)
10/14/2022		MINUTE ORDER. Upon consideration of Defendant's Consent Motion for Extension of Time <u>151</u> , it is hereby ORDERED that the motion is GRANTED. Defendant shall file his sentencing memorandum on or before October 17, 2022 AT NOON. Signed by Judge Carl J. Nichols on October 14, 2022. (lccjn3) (Entered: 10/14/2022)
10/14/2022		MINUTE ORDER as to STEPHEN K. BANNON. It is ORDERED that the Government shall file its sentencing memorandum on or before October 17, 2022 at noon. Signed by Judge Carl J. Nichols on October 14, 2022. (lccjn1) (Entered: 10/14/2022)
10/17/2022	<u>152</u>	SENTENCING MEMORANDUM by USA as to STEPHEN K. BANNON (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20)(Cooney, J.P.) (Entered: 10/17/2022)
10/17/2022	<u>153</u>	ENTERED IN ERROR.....SENTENCING MEMORANDUM by STEPHEN K. BANNON (Corcoran, Matthew) Modified on 10/17/2022 (zmh). (Entered: 10/17/2022)
10/17/2022		NOTICE OF ERROR as to STEPHEN K. BANNON regarding <u>153</u> Sentencing Memorandum. The following error(s) need correction: Other- Please refile memorandum with corrected date. (zmh) (Entered: 10/17/2022)
10/17/2022	<u>154</u>	SENTENCING MEMORANDUM by STEPHEN K. BANNON (Corcoran, Matthew) (Entered: 10/17/2022)
10/20/2022	<u>156</u>	Corporate Disclosure Statement by STEPHEN K. BANNON identifying Corporate Parent PARAMOUNT GLOBAL for PRESS COALITION. (Tobin, Charles) (Entered: 10/20/2022)
10/20/2022	<u>157</u>	RESPONSE by STEPHEN K. BANNON re <u>152</u> GOVERNMENT'S SENTENCING MEMORANDUM (Attachments: # <u>1</u> Exhibit Exhibit A- Declaration of Robert Costello, Esq., # <u>2</u> Exhibit Exhibit B- Gordon Article)(Corcoran, Matthew) Modified to add link on 10/23/2022 (zstd). (Entered: 10/20/2022)
10/20/2022	<u>158</u>	Memorandum in Opposition by USA as to STEPHEN K. BANNON re <u>154</u> Sentencing Memorandum (Cooney, J.P.) Modified to add link and text on 10/23/2022 (zstd). (Entered: 10/20/2022)
10/21/2022		Minute Entry for proceedings held before Judge Carl J. Nichols: Sentencing held on 10/21/2022 as to STEPHEN K. BANNON (1): Counts 1 and 2. Defendant sentenced to Four (4) Months of Incarceration to run concurrently. Defendant further Ordered to Pay a Fine of \$6500.00 and Special Assessment of \$25 on each count. Bond Status of Defendant: Defendant Sentenced to 4 months Incarceration; Court Reporter: Lorraine Herman; Defense Attorney: David Schoen, Matthew Corcoran, and Riane White; US Attorney: J.P. Cooney; Probation Officer: Renee Moses-Gregory. (zcal) (Entered:

		10/21/2022)
10/21/2022	<u>161</u>	JUDGMENT as to STEPHEN K. BANNON. Statement of Reasons Not Included. Signed by Judge Carl J. Nichols on 10/21/2022. (zstd) (Entered: 10/31/2022)
10/21/2022	<u>162</u>	STATEMENT OF REASONS as to STEPHEN K. BANNON re <u>161</u> Judgment Access to the PDF Document is restricted per Judicial Conference Policy. Access is limited to Counsel of Record and the Court. Signed by Judge Carl J. Nichols on 10/21/2022. (zstd) (Entered: 10/31/2022)
11/03/2022	<u>163</u>	MOTION to Consolidate Cases by STEPHEN K. BANNON. (Schoen, David) (Entered: 11/03/2022)
11/04/2022	<u>164</u>	NOTICE OF ATTORNEY APPEARANCE Christopher R. Howland appearing for USA. (Howland, Christopher) (Entered: 11/04/2022)
11/04/2022	<u>165</u>	RESPONSE by USA as to STEPHEN K. BANNON re <u>163</u> MOTION to Consolidate Cases (Howland, Christopher) (Entered: 11/04/2022)
11/04/2022	<u>166</u>	NOTICE OF APPEAL – Final Judgment by STEPHEN K. BANNON re <u>161</u> Judgment, <u>162</u> Statement of Reasons,. Filing fee \$ 505, receipt number ADCDC-9651444. Fee Status: Fee Paid. Parties have been notified. (Attachments: # <u>1</u> Exhibit Exhibit 1)(Schoen, David) (Entered: 11/04/2022)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	
	:	Criminal No. 21-670 (CJN)
	:	
V.	:	
	:	
STEPHEN K. BANNON,	:	
	:	
<i>Defendant.</i>	:	
	:	

NOTICE OF APPEAL

Defendant Stephen K. Bannon hereby gives notice that he appeals to the United States Court of Appeals for the District of Columbia Circuit from the final judgment of conviction and sentence entered on October 21, 2022 [ECF## 161; 162].¹ Under Rule 3 (c)(1)&(4), Federal Rules

¹ Rule 4(b)(1)(A)(i) of the Federal Rules of Appellate Procedure provides in pertinent part that in a criminal case, a notice of appeal must be filed within 14 days of the entry of the judgment being appealed. Rule 4(b)(6) provides that the judgment is “entered” within the meaning of Rule 4(b) when it is “entered on the criminal docket.” The circumstances in this case surrounding the entry of the judgment on the criminal docket are most puzzling.

Mr. Bannon was sentenced on October 21, 2022. At the end of the sentencing hearing, the Court advised the parties that the Court would “get the judgment out as quickly as possible.” [Tr. 10/21/2022 Sentencing Hearing at 79]. The Court also set a voluntary surrender date of November 15, 2022, which the Court characterized as “the period, basically, after the period by which an appeal must be noticed.” [Id. at 78]. That date would be removed and a stay pending appeal would be ordered, once the notice of appeal was timely filed. [Id. at 78].

No judgment was actually entered on the criminal docket until October 31, 2022. In fact, on October 30, 2022, defense counsel communicated among themselves, expressing concern that the judgment had not yet been entered and the voluntary surrender date was approaching. As of October 30, 2022, the last entry on the criminal docket was a Minute Order entry related to the sentencing proceedings earlier that date. Accordingly, early in the morning on October 31, 2022, the undersigned agreed to draft an email to the Court’s staff, with copies to opposing counsel, inquiring as to when the judgment would be entered. However, before the email was sent, at 10:44 a.m., the parties, for the first time, received ECF notice that the judgment had been entered on that date – October 31, 2022. That notice provided that the judgment was “entered” on October 31, 2022 and “filed” on October 21, 2022. [Exhibit 1].

of Appellate Procedure, the Notice of Appeal, of course encompasses all orders in the case preceding the judgment (See also Notes to 2021 Amendments) and that is the intention here. It also is intended to encompass the ancillary Order entered in the related case *In Re: Non-Party Subpoenas*, 1:22-mc-00060-CJN. [Minute Order of 7/12/2022].

Dated: November 4, 2022

Respectfully submitted,

SILVERMAN|THOMPSON|SLUTKIN|WHITE, LLC

/s/ M. Evan Corcoran

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Telephone: (410) 385-2225
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/s/ David I. Schoen

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Counsel for Defendant Stephen K. Bannon

With the delivery of that notice on October 31, 2022, the judgment and statement of reasons for the judgment were then actually entered on and appeared on October 31, 2022, for the first time on the criminal docket as ECF## 161& 162. However, despite the fact that they were not actually entered on the criminal docket until October 31, 2022 and no notice of the entry of judgment went out to the parties until October 31, 2022, the judgment was entered on the criminal docket on October 31, 2022, as if it had been entered on the criminal docket ten (10) days earlier with the docket entry for both the judgment and the statement of reasons reflected as "10/21/2022." This is very puzzling and had the effect of dramatically shortening the statutory period for Mr. Bannon to file his notice of appeal, since the controlling date under Rule 4(b)(6) is the date of entry on the criminal docket and that now (erroneously) appears as "10/21/2022" instead of the actual date of entry, "10/31/2022." As a result, Mr. Bannon had to file within four (4) days of the actual entry date (October 31, 2022) instead of fourteen (14) days, so as to file within 14 days of the date of entry on the criminal docket (Rule 4 (b)(6)), even though that date clearly is wrong.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of November, 2022, a copy of the foregoing NOTICE OF APPEAL was served *via* the Court's CM/ECF system on registered parties and counsel.

/s/ M. Evan Corcoran
M. Evan Corcoran (D.C. Bar No. 440027)

EXHIBIT 1

Case 1:21-cr-00670-CJN Document 167 Filed 11/07/22 Page 31 of 37

From: DCD_ECFNotice@dcd.uscourts.gov

Filed: 11/07/2022 Page 31 of 37

To: DCD_ECFNotice@dcd.uscourts.gov,

Subject: Activity in Case 1:21-cr-00670-CJN USA v. BANNON Judgment

Date: Mon, Oct 31, 2022 10:44 am

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

NOTE TO PUBLIC ACCESS USERS Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

District of Columbia

Notice of Electronic Filing

The following transaction was entered on 10/31/2022 at 10:44 AM and filed on 10/21/2022

Case Name: USA v. BANNON

Case Number: 1:21-cr-00670-CJN

Filer:

Document Number: 161

Docket Text:

JUDGMENT as to STEPHEN K. BANNON. Statement of Reasons Not Included. Signed by Judge Carl J. Nichols on 10/21/2022. (zstd)

1:21-cr-00670-CJN-1 Notice has been electronically mailed to:

Stanley McKennett Brand stanleymbrand@gmail.com

Matthew Evan Corcoran ecorcoran@silvermanthompson.com, efiling@silvermanthompson.com

David I. Schoen dschoen593@aol.com

Charles D. Tobin tobinc@ballardspahr.com, LitDocket_East@ballardspahr.com, mendezc@ballardspahr.com, mishkinm@ballardspahr.com

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USCA Case #22-3086 Document #1972425 Filed: 11/07/2022 Page 32 of 37

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Stacie Marion Fahsel stacie.fahsel@mail.house.gov

Riane A. White rwhite@silvermanthompson.com

1:21-cr-00670-CJN-1 Notice will be delivered by other means to::

The following document(s) are associated with this transaction:

Document description: Main Document

Original filename: suppressed

Electronic document Stamp:

[STAMP dcecfStamp_ID=973800458 [Date=10/31/2022] [FileNumber=7998062-0] [ab915dfea8cb3f0cb3229a985d1b1dd37c328fbddb85bbc28a8de19c481669f1343 448325cf80bf61f2380791897c5ca31d883dd679f13c217a8db621391331a]]

UNITED STATES DISTRICT COURT

District of Columbia

UNITED STATES OF AMERICA

v.

Stephen K. Bannon

JUDGMENT IN A CRIMINAL CASE

Case Number: CR 21-670 (CJN)

USM Number: 05635-509

Matthew Corcoran, David Schoen, and Riane White

Defendant's Attorney

THE DEFENDANT:

pleaded guilty to count(s) _____

pleaded nolo contendere to count(s) _____ which was accepted by the court.

was found guilty on count(s) 1 and 2 of Indictment filed 11/12/2021 after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
2§192	CONGRESSIONAL CONTEMPT - REFUSE TO TESTIFY; Contempt of Congress (Testimony)	10/14/2021	1
2§192	CONGRESSIONAL CONTEMPT - REFUSE TO TESTIFY;	10/18/2021	2

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has been found not guilty on count(s) _____

Count(s) _____ is are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

10/21/2022

Date of Imposition of Judgment



Signature of Judge

Carl J. Nichols U.S. District Judge

Name and Title of Judge

10/21/2022

Date

DEFENDANT: Stephen K. Bannon
CASE NUMBER: CR 21-670 (CJN)

ADDITIONAL COUNTS OF CONVICTION

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
	Contempt of Congress (Papers)		

DEFENDANT: Stephen K. Bannon

CASE NUMBER: CR 21-670 (CJN)

IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:
Four (4) Months as to each count, to run concurrently

The court makes the following recommendations to the Bureau of Prisons:

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district:

at _____ a.m. p.m. on _____.

as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

before 2 p.m. on _____.

as notified by the United States Marshal.

as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: Stephen K. Bannon
CASE NUMBER: CR 21-670 (CJN)

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Restitution</u>	<u>Fine</u>	<u>AVAA Assessment*</u>	<u>JVTA Assessment**</u>
TOTALS	\$ 50.00	\$	\$ 6,500.00	\$	\$

The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss***</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
TOTALS	\$ 0.00	\$ 0.00	

Restitution amount ordered pursuant to plea agreement \$ _____

The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

The court determined that the defendant does not have the ability to pay interest and it is ordered that:

the interest requirement is waived for the fine restitution.

the interest requirement for the fine restitution is modified as follows:

* Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, Pub. L. No. 115-299.

** Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

*** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: Stephen K. Bannon
CASE NUMBER: CR 21-670 (CJN)

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

A Lump sum payment of \$ 6,550.00 due immediately, balance due
 not later than _____, or
 in accordance with C, D, E, or F below; or

B Payment to begin immediately (may be combined with C, D, or F below); or

C Payment in equal monthly (e.g., weekly, monthly, quarterly) installments of \$ 500.00 over a period of 13 mo. (e.g., months or years), to commence 30 (e.g., 30 or 60 days) after the date of this judgment; or

D Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or

E Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or

F Special instructions regarding the payment of criminal monetary penalties:
The financial obligations are immediately payable to the Clerk of the Court for the U.S. District Court, 333 Constitution Ave NW, Washington, DC 20001. Within 30 days of any change of address, you shall notify the Clerk of the Court of the change until such time as the financial obligation is paid in full.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Joint and Several

Case Number Defendant and Co-Defendant Names (including defendant number)	Total Amount	Joint and Several Amount	Corresponding Payee, if appropriate
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The defendant shall pay the cost of prosecution.
 The defendant shall pay the following court cost(s):
 The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) AVAA assessment, (5) fine principal, (6) fine interest, (7) community restitution, (8) JVTA assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.